

Assistant United States Attorney

[illegible]

— V. —

Defendant.

Model	1990	2000	2010	2020	2030	2040	2050	2060	2070	2080	2090	2100	2110	2120	2130	2140	2150	2160	2170	2180	2190	2200	2210	2220	2230	2240	2250	2260	2270	2280	2290	2300	2310	2320	2330	2340	2350	2360	2370	2380	2390	2400	2410	2420	2430	2440	2450	2460	2470	2480	2490	2500	2510	2520	2530	2540	2550	2560	2570	2580	2590	2600	2610	2620	2630	2640	2650	2660	2670	2680	2690	2700	2710	2720	2730	2740	2750	2760	2770	2780	2790	2800	2810	2820	2830	2840	2850	2860	2870	2880	2890	2900	2910	2920	2930	2940	2950	2960	2970	2980	2990	3000	3010	3020	3030	3040	3050	3060	3070	3080	3090	3100	3110	3120	3130	3140	3150	3160	3170	3180	3190	3200	3210	3220	3230	3240	3250	3260	3270	3280	3290	3300	3310	3320	3330	3340	3350	3360	3370	3380	3390	3400	3410	3420	3430	3440	3450	3460	3470	3480	3490	3500	3510	3520	3530	3540	3550	3560	3570	3580	3590	3600	3610	3620	3630	3640	3650	3660	3670	3680	3690	3700	3710	3720	3730	3740	3750	3760	3770	3780	3790	3800	3810	3820	3830	3840	3850	3860	3870	3880	3890	3900	3910	3920	3930	3940	3950	3960	3970	3980	3990	4000	4010	4020	4030	4040	4050	4060	4070	4080	4090	4100	4110	4120	4130	4140	4150	4160	4170	4180	4190	4200	4210	4220	4230	4240	4250	4260	4270	4280	4290	4300	4310	4320	4330	4340	4350	4360	4370	4380	4390	4400	4410	4420	4430	4440	4450	4460	4470	4480	4490	4500	4510	4520	4530	4540	4550	4560	4570	4580	4590	4600	4610	4620	4630	4640	4650	4660	4670	4680	4690	4700	4710	4720	4730	4740	4750	4760	4770	4780	4790	4800	4810	4820	4830	4840	4850	4860	4870	4880	4890	4900	4910	4920	4930	4940	4950	4960	4970	4980	4990	5000	5010	5020	5030	5040	5050	5060	5070	5080	5090	5100	5110	5120	5130	5140	5150	5160	5170	5180	5190	5200	5210	5220	5230	5240	5250	5260	5270	5280	5290	5300	5310	5320	5330	5340	5350	5360	5370	5380	5390	5400	5410	5420	5430	5440	5450	5460	5470	5480	5490	5500	5510	5520	5530	5540	5550	5560	5570	5580	5590	5600	5610	5620	5630	5640	5650	5660	5670	5680	5690	5700	5710	5720	5730	5740	5750	5760	5770	5780	5790	5800	5810	5820	5830	5840	5850	5860	5870	5880	5890	5900	5910	5920	5930	5940	5950	5960	5970	5980	5990	6000	6010	6020	6030	6040	6050	6060	6070	6080	6090	6100	6110	6120	6130	6140	6150	6160	6170	6180	6190	6200	6210	6220	6230	6240	6250	6260	6270	6280	6290	6300	6310	6320	6330	6340	6350	6360	6370	6380	6390	6400	6410	6420	6430	6440	6450	6460	6470	6480	6490	6500	6510	65
-------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	----

[illegible]

22 Mag. 6622
RULE 5(c)(3)
AFFIDAVIT

I believe that RAMIRO NAJERA-BARRIOS, the defendant, who was arrested on August 11, 2022, in the Southern District of New York, is the same person as the "Ramiro Najera-Barrios" who is wanted by the United States District Court for the Western District of Pennsylvania.

The bases for my knowledge and for the foregoing charge are, in part, as follows:

1. I am a Special Agent with the DEA. I have been personally involved in determining whether RAMIRO NAJERA-BARRIOS, the defendant, is the same individual as the "Ramiro Najera-Barrios" named in the August 11, 2022 arrest warrant from the United States District Court for the Western District of Pennsylvania. Because this affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this affidavit each and every fact that I have learned. Where I report statements made by others, those statements are described in substance and in part, unless otherwise noted.

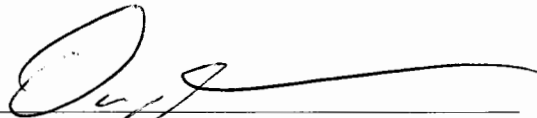
2. Based on my review of documents from proceedings in the United States District Court for the Western District of Pennsylvania, I know that, on or about August 11, 2022, the United States District Court for the Western District of Pennsylvania issued a warrant for the arrest of "Ramiro Najera-Barrios" (the "Arrest Warrant"). The Arrest Warrant was based on a complaint (the "Complaint") charging "Ramiro Najera-Barrios" with one count of conspiracy to distribute and possess with intent to distribute 400 grams or more of mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 846. The Complaint was issued in connection with case number 22-MJ-1096 in the Western District of Pennsylvania.

3. On or about August 11, 2022, at approximately 12:05 a.m., I arrested RAMIRO NAJERA-BARRIOS, the defendant, at a parking lot in Baldwin, New York. When asked if his name is "Ramiro Najera-Barrios," NAJERA-BARRIOS affirmed that was his name.

4. During the course of my investigation, I have reviewed photographs of the "Ramiro Najera-Barrios" sought in the Arrest Warrant which were provided to me by DEA agents in Pittsburgh. The appearance of RAMIRO NAJERA-BARRIOS, the defendant, matches the appearance of the "Ramiro Najera-Barrios" I have viewed in photographs.

5. Based on the fact that RAMIRO NAJERA-BARRIOS, the defendant, self-identified as "Ramiro Najera-Barrios"; and that NAJERA-BARRIOS's appearance matched the appearance of the person sought in the Arrest Warrant, I believe that NAJERA-BARRIOS is the "Ramiro Najera-Barrios" sought in the Arrest Warrant.

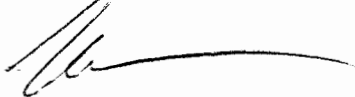
WHEREFORE, I respectfully request that RAMIRO NAJERA-BARRIOS, the defendant, be imprisoned or bailed as the case may be.



ANTHONY KITE
Special Agent
Drug Enforcement Administration

Sworn to me through the transmission of this
Affidavit by reliable electronic means,
pursuant to Federal Rules of Criminal Procedure
41(d)(3) and 4.1 this,

11th day of August, 2022



THE HONORABLE ROBERT W. LEHRBURGER
United States Magistrate Judge
Southern District of New York

Exhibit A

AO 91 (Rev. 11/11) Criminal Complaint (modified 3/31/2020)

UNITED STATES DISTRICT COURT

for the

Western District of Pennsylvania

United States of America)

v.)

RAMIRO NAJERA-BARRIOS, and) Case No.

ASCENCION ORONA-DUARTE,) 22-mj-1096

a/k/a "Nene Duarte,")

a/k/a "Jose Duarte") [UNDER SEAL]

Defendant(s)

CRIMINAL COMPLAINT

BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 2022 to August 10, 2022 in the county of Allegheny in the
Western District of Pennsylvania, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. § 846

Conspiracy to possess with intent to distribute and distribute 400 grams or more of mixtures and substances containing a detectable amount of fentanyl.

This criminal complaint is based on these facts:

Please see attached Affidavit in Support of Criminal Complaint.

☒ Continued on the attached sheet.

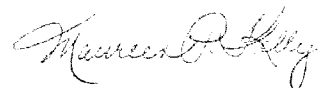
/s/ Vijay Nemani

Complainant's signature

Vijay Nemani, Special Agent, DEA

Printed name and title

Sworn and subscribed before me, by telephone pursuant to Fed. R. Crim. P. 4.1(b)(2)(A).

Date: 08/11/2022

Judge's signature

City and state: Pittsburgh, Pennsylvania

Honorable Maureen P. Kelly, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

RAMIRO NAJERA-BARRIOS, and
ASCENCION ORONA-DUARTE,
a/k/a “Nene Duarte,”
a/k/a “Jose Duate”

Magistrate No. 22-1096
[UNDER SEAL]

(21 U.S.C. § 846)

AFFIDAVIT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS
IN SUPPORT OF CRIMINAL COMPLAINT

I, Vijay Nemani, being first duly sworn, deposes and states that he is a Special Agent of the Drug Enforcement Administration (“DEA”), and charges as follows:

I. PURPOSE OF THIS AFFIDAVIT AND BACKGROUND OF AGENT NEMANI

1. This Affidavit is made for the limited purpose of establishing probable cause in support of a Criminal Complaint that from at least in or around March 2022, up to and including on or about August 10, 2022, in the Western District of Pennsylvania and elsewhere, RAMIRO NAJERA-BARRIOS and ASCENCION ORONA DUARTE, a/k/a “Nene Duarte,” a/k/a “Jose Duate,” the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree, together and with each other, to violate the narcotics laws of the United States. It was a part and an object of the conspiracy that RAMIRO NAJERA-BARRIOS and ASCENCION ORONA-DUARTE, a/k/a “Nene Duarte,” a/k/a “Jose Duate,” the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1). The controlled substance that RAMIRO NAJERA-BARRIOS and ASCENCION ORONA-DUARTE,

a/k/a "Nene Duarte," a/k/a "Jose Duate," the defendants, conspired to distribute and possess with intent to distribute was 400 grams or more (i.e., approximately three kilograms) of mixtures and substances containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(A).

2. I am an "Investigative or Law Enforcement Officer of the United States" within the meaning of Title 18, United States Code, Section 2510(7); that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516.

3. I am a Special Agent of the DEA, and I have been so employed by the DEA since October 2000. I am currently assigned to the Pittsburgh District Office, which is located in the Western District of Pennsylvania, and have been so assigned since June 2008. Prior to my assignment at the Pittsburgh District Office, I was assigned to the Kabul Country Office, located in Kabul, Afghanistan, and the Miami Field Division Office, located in Miami, Florida. I have completed 17 weeks of intensive narcotics training from the Drug Enforcement Administration's Justice Training Academy. Prior to my employment with the DEA, I spent over five (5) years working as police officer for the City of Washington, Pennsylvania Police Department.

4. I have been involved in narcotics related arrests and the execution of search warrants which resulted in the seizure of narcotics and assisted in the supervision of activities of informants who provided information and assistance resulting in drug buys I have received training and experience in interviewing and interrogation techniques, arrest procedures, search and seizure, narcotics, undercover techniques, white collar crimes, search warrant applications, and various other crimes.

5. In the course of my training and experience, I have become familiar with the methods and techniques associated with the distribution of narcotics, the laundering of drug proceeds, and the organization of drug conspiracies. In the course of conducting these investigations, I have been involved in the use of the following investigative techniques: interviewing informants and cooperating witnesses, conducting physical surveillance, consensual monitoring and recording of both telephonic and non-telephonic communications, analyzing pen register data, cell site data, conducting court-authorized wire and oral interception electronic surveillance, and preparing and executing search warrants which have led to substantial seizures of narcotics, firearms, contraband, and evidence of criminal activity.

6. In connection with my work for the DEA, I have worked with federal, state and local law enforcement officers in the Western District of Pennsylvania and other jurisdictions, including law enforcement officers in other countries. These personnel provide the DEA with an extensive breadth of experience and knowledge about illegal interstate and international drug trafficking. Through my experience, training and interactions with other law enforcement officials, I have become familiar with the methods of operation typically utilized by individuals who distribute illegal drugs.

7. I have personally participated in some of the investigation described herein. In addition, I have reviewed information obtained from law enforcement and commercial databases, and I have discussed this case with, and reviewed the reports of, other law enforcement officers who have been involved in this investigation or who have investigated the subjects of this investigation and their associates in the past. Because this Affidavit is being submitted for the limited and specific purpose of establishing probable cause to support a Criminal Complaint, I

have not included every fact known to law enforcement concerning this investigation. I have not, however, omitted any facts that would tend to defeat a finding of probable cause.

II. PROBABLE CAUSE

8. This investigation is being conducted by the Drug Enforcement Administration (DEA), and other federal and local law enforcement agencies, to investigate and prosecute individuals involved in a fentanyl drug trafficking organization operating throughout the United States, but primarily in the Eastern District of North Carolina, the Southern District of New York, and the Western District of Pennsylvania (specifically Allegheny County).

9. As a result of an investigation initiated in Charlotte, North Carolina, agents identified RAMIRO NAJERA-BARRIOS as a source of supply of fentanyl operating in Arizona and elsewhere. The investigation revealed that NAJERA-BARRIOS coordinates the transportation and delivery of multi-kilogram quantities of fentanyl in multiple states, including in North Carolina and in Pennsylvania.

10. During the course of the investigation, Agents/TFOs were able to monitor numerous telephone conversations and text messages involving NAJERA-BARRIOS. During these conversations, NAJERA-BARRIOS utilized coded language to discuss the logistics of the trafficking the fentanyl.

11. Based on my participation in this investigation, my conversations with other law enforcement officers, physical surveillance, and my review of calls involving a confidential source ("CS-1"),¹ I have learned, in substance and in part, the following:

¹ CS-1 has been cooperating with law enforcement for approximately six months in hopes of judicial consideration based on prior drug crimes. CS-1 is believed to be credible and reliable and

12. On or about July 12, 2022, RAMIRO NAJERA-BARRIOS, the defendant, used a particular phone number ("NAJERA-BARRIOS Cellphone-1") to speak to CS-1 about meeting at a location in Pittsburgh, Pennsylvania. Through physical surveillance, law enforcement then observed NAJERA-BARRIOS arrive at the location with another male later identified as ASCENCION ORONA-DUARTE, the defendant. During the audio-recorded meeting with CS-1, which occurred in the Western District of Pennsylvania, NAJERA-BARRIOS revealed himself to be coordinating an organization's drug trafficking and money laundering operations in the Pittsburgh area, and asked CS-1 to assist NAJERA-BARRIOS in distributing fentanyl.

13. Based on location information for NAJERA-BARRIOS Cellphone-1, obtained pursuant to a judicially authorized warrant, I know that from at least July 22, 2022, through August 10, 2022, NAJERA-BARRIOS was located in New York City and primarily in the Bronx. During that period, on or about August 9, 2022, NAJERA-BARRIOS began communicating with CS-1 using a new phone number (NAJERA-BARRIOS Cellphone-2") to arrange for NAJERA-BARRIOS's courier to provide narcotics to CS-1's courier.

14. On or about August 10, 2022, on a recorded call with NAJERA-BARRIOS Cellphone-2 at approximately 2:30 p.m., CS-1 indicated to NAJERA-BARRIOS that CS-1's courier was in the area and ready to accept the narcotics. Based on location information for NAJERA-BARRIOS Cellphone-2, obtained pursuant to a judicially authorized warrant, I know that NAJERA-BARRIOS was located in the Bronx at the time of the call.

much of the information provided by CS-1, both in this investigation and in other investigations, has been independently corroborated. CS-1 has prior convictions for narcotics, carrying a firearm without a license, and aggravated assault.

15. On the same day, on a recorded call at approximately 6:51 p.m., NAJERA-BARRIOS stated that NAJERA-BARRIOS would provide an address where NAJERA-BARRIOS could meet and provide narcotics to CS-1's courier. NAJERA-BARRIOS subsequently provided CS-1 the address of a fast-food parking lot in Baldwin, New York (the "Baldwin Location"). Based on location information for NAJERA-BARRIOS Cellphone-2, obtained pursuant to a judicially authorized warrant, I know that NAJERA-BARRIOS was located in the Bronx at the time of the call.

16. At approximately 10:50 p.m., an undercover agent ("UC-1") posing as CS-1's courier arrived at the Baldwin Location and met ORONA-DUARTE, who had a small backpack but indicated that he did not have the narcotics in his possession. ORONA-DUARTE asked UC-1 to drive ORONA-DUARTE to a second location to meet NAJERA-BARRIOS and receive the narcotics. After UC-1 refused, law enforcement observed NAJERA-BARRIOS arrive at the Baldwin Location in a vehicle that, after NAJERA-BARRIOS's exit from the vehicle, immediately drove off.

17. NAJERA-BARRIOS handed ORONA-DUARTE a bag (the "Bag"), which ORONA-DUARTE in turn handed to UC-1.

18. Law enforcement agents apprehended NAJERA-BARRIOS and ORONA-DUARTE and placed them under arrest.

19. Inside the bag were three large blocks of white powder, each individually wrapped in plastic. The gross weight of the bricks was approximately three kilograms.

20. DEA agents field tested portions of the white powder, which indicated the presence of cocaine and the presence of an opiate. Based on the field tests, my training and experience, and

my knowledge of prior conversations between NAJERA-BARRIOS and CS-1 referencing fentanyl, I believe the white powder consists of both cocaine and fentanyl.

21. WHEREFORE, I respectfully request that RAMIRO NAJERA-BARRIOS and ASCENCION ORONA-DUARTE, a/k/a "Nene Duarte," a/k/a "Jose Duarte," the defendants, be charged with a violation of 21 U.S.C. § 846, for conspiring with each other, and with persons both known and unknown, to possess with intent to distribute and to distribute controlled substance(s), specifically fentanyl, in the Western District of Pennsylvania and elsewhere.

The above information is true and correct to the best of my knowledge, information, and belief.

/s/ Vijay Nemani
VIJAY NEMANI
Special Agent
Drug Enforcement Administration

Sworn and subscribed before me,
by telephone pursuant to
Fed. R. Crim. P. 4.1(b)(2)(A),
this 11th day of August 2022.



HONORABLE MAUREEN P. KELLY
United States Magistrate Judge
Western District of Pennsylvania

UNITED STATES DISTRICT COURT

for the

Western District of Pennsylvania

United States of America

v.

RAMIRO NAJERA-BARRIOS

Case No. 22-mj-1096

[UNDER SEAL]

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay(name of person to be arrested) RAMIRO NAJERA-BARRIOS,

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment
 ☐ Superseding Indictment
 ☐ Information
 ☐ Superseding Information
☒ Complaint
☐ Probation Violation Petition
☐ Supervised Release Violation Petition
☐ Violation Notice
☐ Order of the Court

This offense is briefly described as follows:

Conspiracy to possess with intent to distribute and distribute 400 grams or more of mixtures and substances containing a detectable amount of fentanyl. (21 U.S.C. § 846)

Date: 08/11/2022

*Issuing officer's signature*City and state: Pittsburgh, PennsylvaniaHonorable Maureen P. Kelly, U.S. Magistrate Judge*Printed name and title*

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
 at (city and state) _____.

Date: _____

*Arresting officer's signature**Printed name and title*

**This second page contains personal identifiers provided for law-enforcement use only
and therefore should not be filed in court with the executed warrant unless under seal.**

(Not for Public Disclosure)

Name of defendant/offender: _____

Known aliases: _____

Last known residence: _____

Prior addresses to which defendant/offender may still have ties: _____

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: _____

Social Security number: _____

Height: _____ Weight: _____

Sex: _____ Race: _____

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (*name, relation, address, phone number*): _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: _____

Name and telephone numbers (office and cell) of pretrial services or probation officer (*if applicable*): _____

Date of last contact with pretrial services or probation officer (*if applicable*): _____